

**REMARKS**

Applicants respectfully request reconsideration and allowance of their application.

Applicants amended claim 21 but they have not narrowed its scope.

Applicants submit new claims 25 *et seq.* based on their specification. Attention is respectfully invited to pages 7 and pages 9-10 (Test Example 1). The specification provides an enabling written description for the new claims.

Applicants renew their prior traverse against the requirement for restriction. It is not seen where there is an undue burden for conducting a prior art search. A number of “organic” materials were mentioned in a text book (with an index) that has been available to the present Examiner, as is known from an interview with counsel in connection with another application having a common assignee. It is also observed that the document cited in the pending Office Action lists a number of essential oils at column 3. A requirement for restriction seems ill-justified in the present circumstances and reconsideration and withdrawal of same is requested.

Alternatively, if the restriction requirement is maintained, Applicants respectfully request re-joinder upon indication of allowable subject matter.

Applicants respectfully traverse the rejection of claims 21 and 22 under 35 U.S.C. 103 over U.S. Patent No. 5,688,509 to Radwan et al.

The Radwan et al. document describes providing a controlled-release insect repellant device. The patent includes drawings (see 37 CFR §§1.81 and 1.83) to illustrate the device. Figures 4 and 5 show a substrate consisting of paperboard 1 coated with an inner coating of polyethylene 2, an outer clay coating 3 and insect repellant composition

4. Radwan et al. at column 8, lines 12-29. As described the substrate is converted to a carton for cereal and the carton was filled with banana rice baby cereal.

The Radwan et al. document states the device may be used to repel insects from food, tobacco or other consumable items and may be used in either direct or indirect contact with consumable items. Radwan et al., column 1, lines 62-66 and column 2, lines 58-61.

The Radwan et al. document specifically discloses that the “device of the present invention is intended for use in repelling insects from food, tobacco or other consumable items.” Radwan et al., column 5, lines 19-21. The Radwan et al. document further directs the person of ordinary skill in the art that the “device may be in direct contact with food or other consumables (e.g., a box for storing infant cereal) or in the vicinity of food (indirect contact, e.g., in a cupboard).” Radwan et al., column 5, lines 22-25.

Thus, in context, the Radwan et al. document describes a device that is a vehicle for carrying an insect repellant and using that device to protect foodstuff. Whether or not the substrate carrying the insect repellent is a paperboard product or other material, the fact is the document does not describe a method for protecting fabric.

The Radwan et al. document, however, does not describe a method of protecting a fabric against pest infestations, or protecting a fabric against damage caused by a larvae infestation from eggs laid by pests.

The Radwan et al. document does not describe protecting a fabric against any pest by dispersing, spraying, spreading or setting an effective amount of a plant oil to a place where the fabric may be located (placed, stored etc.) and where any such pest might invade.

Appl. No. 09/964,767  
Amdt. dated August 12, 2003  
Reply to Office Action of May 14, 2003

The Radwann et al. document does not describe protecting fabric that may be in a dresser, a drawer, a closet or a case.

The Radwan et al. document does not describe a method for protecting a fabric by applying thereto an amount of a solution that contains an effective amount of a plant oil.

The Radwan et al. document does not describe a method for protecting muslin wool.

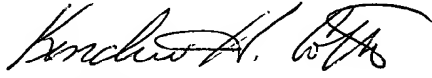
Applicants also respectfully direct attention to Test Example 1 in their specification at pages 9-10. These results are not disclosed in nor would they have been foreseen from the Radwan et al. document.

These deficiencies in the Radwan et al. document prompt Applicants to request reconsideration.

If the Examiner has any other questions, please have no hesitation in contacting the undersigned.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By:   
Kendrew H. Colton  
Registration No. 30,368

Fitch, Even, Tabin & Flannery  
1801 K Street, N.W.  
Suite 401L  
Washington, D.C. 20006-1201  
Telephone No. (202) 419-7000  
Facsimile No. (202) 419-7007